

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CESAR ALBERTO CLAUDIO ALICEA

DEBTOR(S)

CASE NO. 11-02111-BKT

CHAPTER 13

****AMENDED DOCUMENT****

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, **Alejandro Oliveras Rivera**, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under 11 U.S.C. §1325, for the confirmation of a Chapter 13 plan.

The **LIQUIDATION VALUE** of the estate is: To be determined..

TOTAL ATTORNEY'S FEES: \$3,000.00	Paid:\$346.00	Outstanding:\$2,654.00
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With respect to the proposed Plan dated: 3/14/2011; Plan Base: \$111,000.00

The Trustee Does Not Recommend the Confirmation of the proposed Chapter 13 plan as it does not comply with all the requirements for its approval pursuant to 11 U.S.C. §1322, §1325, and other related sections of the Bankruptcy Code.

COMMENTS:

FEASIBILITY 11 USC § 1325(a)(6):\$600.00 arrears with plan payment. Debtor did not make a payment since June 15, 2011. FAILS LIQUIDATION VALUE TEST § 1325(a)(4): In order to assess liquidation value debtor to amend schedule A to reflect current value of real property and submit comparables for inheritance property. FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B): Submit evidence that debtor is paying for son's health insurance. OTHER: 1) Debtor to provide lagal basis why \$87,600.00 from division community property with former spouse Luz Rivera is feasible in view of 362(b)(2)(a)(iv) and provide document under penalty of perjury with details of property to be divided and their value. Meeting of creditors is hereby closed. 2) Pending to resolves Trustee's objection to proof of Claim #8 filed by Luz Rivera Piñeiro as priority.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

In San Juan, Puerto Rico this : 10/13/2011

/s/ Miriam Salwen Acosta

Miriam Salwen Acosta
USDC # 208910

For:

ALEJANDRO OLIVERAS RIVERA
Chapter 13 Trustee
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